

IDAHO LIQUEFIED PETROLEUM GAS SAFETY BOARD

Bureau of Occupational Licenses

700 West State Street, P.O. Box 83720

Boise, ID 83720-0063

Conference Call Minutes of 7/11/2018

BOARD MEMBERS PRESENT: Tom C Daniels - Chair
Ben Estes
Larry L Simms
Rick J Harris

BOARD MEMBERS ABSENT: Richard B Davies

BUREAU STAFF: Tana Cory, Bureau Chief
Dawn Hall, Deputy Bureau Chief
Julie Eavenson, Admin. Support Manager
Lori Peel, Investigative Unit Manager
John Kersey, Chief Investigator
Maurie Ellsworth, General Counsel
Mary Miles, Technical Records Specialist II

The meeting was called to order at 9:00 AM MDT by Tana Cory.

ELECTION OF BOARD CHAIR

A motion was made to nominate Mr. Daniels as Board Chair. It was seconded by Mr. Simms. Motion carried.

APPROVAL OF MINUTES

Mr. Simms made a motion to approve the minutes of 6/13/2018. It was seconded by Mr. Estes. Motion carried.

LEGISLATIVE REPORT

Ms. Cory gave the legislative report. The deadline to submit legislative ideas to the Governor's Office is July 13, 2018 and the deadline to submit proposed law and rule changes to the Governor's Office is August 17, 2018 for the 2019 Legislative Session.

INTERIM COMMITTEE: OCCUPATIONAL LICENSING & CERTIFICATION LAWS COMMITTEE

Ms. Cory said that the Executive Order report was submitted to the Governor and Lt. Governor prior to July 1 and it has been linked on the Board's main webpage. Ms. Cory updated the Board on the legislative interim committee on occupational licensing and certification laws. The Occupational Licensing & Certification Laws Committee met on June 22. Ms. Cory was invited to present on the process and executive order reports for the Boards served by the Bureau. It also heard from Greg Wilson, chief of staff to Lieutenant Governor Little; Albert Downs, policy specialist for the National Conference of State Legislatures; and Patrick Grace, regional manager for the Division of Building Safety.

In her presentation before the Committee, Ms. Cory noted that 29 of the 30 Boards served by the Bureau had submitted their reports. She let the Board know that all reports were submitted before the July 1 deadline and each Board's report has been posted to its website.

Comments by the Committee included that its efforts appeared to be on a parallel track with those of the executive order, and committee members outlined a framework where each of them would take a few reports to review with members of the Boards who wrote them. The co-chairs encouraged legislators on the committee to volunteer to review reports where they felt like they had a connection to the occupation or had constituents who serve on the Board.

The Committee set its next meeting for Tuesday, August 7.

FINANCIAL REPORT

Ms. Hall gave the financial report, which indicated that the Board had a cash balance of \$170,738.83 as of 6/30/2018.

INVESTIGATIVE REPORT

Ms. Peel gave the investigative report, which is linked above.

FOR BOARD DETERMINATION

Mr. Simms made a motion to approve the Bureau's recommendation and authorize closure with a warning letter in case I-LPG-2018-18. It was seconded by Mr. Harris. Motion carried.

OPEN MEETING LAW

Mr. Ellsworth reviewed HB611 that made changes to the open meeting law regarding meeting notices and agendas. Changes effective July 1, 2018 included: notices and agendas must be posted online if the agency has an online presence; identification of all "action items" must be noted on the agenda; and

final action may not be taken on an agenda item added after the start of the meeting unless an emergency is declared.

TO DO LIST

The Board reviewed the To Do List and no action was taken.

Mr. Kersey updated the Board members regarding the emergency electrical shut off valve for propane. A Bureau investigator and the Division of Building Safety determined that the shut off valve in question was for motor vehicle fuel islands; therefore, there was not an issue.

Mr. Kersey addressed the Board members regarding inspections and licensing of dispensing units at bulk facility plants. This was follow-up on a question asked by Mr. Estes at the June meeting. Mr. Kersey and Mr. Estes discussed the issue after the last meeting. Mr. Estes stated there is not an issue.

EXECUTIVE SESSION

Mr. Estes made a motion that the Board go into executive session under Idaho Code § 74-206(1)(d) to consider records that are exempt from disclosure under the Idaho Public Records Law. The purpose of the executive session was to consider license application materials. It was seconded by Mr. Simms. The vote was: Mr. Harris, aye; Mr. Simms, aye; Mr. Estes, aye; and Mr. Daniels, aye. Motion carried.

Mr. Simms made a motion to come out of executive session. It was seconded by Mr. Estes. The vote was: Mr. Harris, aye; Mr. Simms, aye; Mr. Estes, aye; and Mr. Daniels, aye. Motion carried.

APPLICATIONS

Mr. Estes made a motion to table application 901146080 pending further information. It was seconded by Mr. Simms. Motion carried.

Mr. Estes made a motion to approve Ray's Company LLC, PGF-1320 for licensure. It was seconded by Mr. Harris. Motion carried.

Mr. Simms made a motion to approved Kerr Oil Co., Inc. DBA Prairie Jifi-Stop, PGF-1346 for licensure. It was seconded by Mr. Harris. Motion carried.

Mr. Harris made a motion to approve application 901091376 pending further information and for the Board Chair's final review and approval. It was seconded by Mr. Simms. Motion carried.

Mr. Estes made a motion to approve application 901160076 pending further information and for the Board Chair's final review and approval. It was seconded by Mr. Harris. Motion carried.

Mr. Estes made a motion to approve application 901099295 pending further information and for the Board Chair's final review and approval. It was seconded by Mr. Simms. Motion carried.

NEXT MEETING was scheduled for 8/15/2018 at 9:00 AM MDT.

ADJOURNMENT

Mr. Simms made a motion to adjourn the meeting at 10:10 AM MDT. It was seconded by Mr. Estes. Motion carried.

Tom C Daniels, Chair

Rick J Harris

Ben Estes

Larry L Simms

Richard B Davies

Tana Cory, Bureau Chief